

Preliminary Flood Maps Gallatin County Appeals, Protests, & Comments Information & Instructions

Preliminary Digital Flood Insurance Rate Maps (DFIRM) and a Flood Insurance Study (FIS) have been issued by FEMA for community review. Community officials have had the opportunity to provide comments to FEMA regarding the new maps, but soon it will be the citizens turn. In the next several weeks, FEMA will publish an announcement in the local newspaper twice. The second newspaper publication date of this BFE announcement will initiate the 90-day appeal period.

During the 90-day appeal period, community officials or property owners may formally challenge the information shown on the Preliminary DFIRM or FIS report. Challenges may be submitted as appeals, protests, or comments. Each is described below:

Appeals – Questioning of proposed new or modified base flood elevations (BFEs) or base flood depths by submitting data to show that the BFEs are scientifically or technically incorrect (submission of a new hydrologic or hydraulic model). Appeals are defined in 44 CFR (Code of Federal Regulations) Section 67.6. Requests for changes to effective (i.e., unrevised) BFEs and/or base flood depths must be processed as map revision requests in accordance with Part 65 of the NFIP regulations (44 CFR).

Protests – Disputes that do not relate to proposed new or modified BFEs or base flood depths, but do relate to other new flood hazard information or corporate limits information shown on the FIRM. Protests do require scientific or technical data to support the change. An example of a protest is a request to revise the floodplain of a restudied stream based on more detailed topographic information.

Comments – Non-technical concerns over the content of the map. An example of a comment is the identification of an incorrect street name.

All appeals, protests, & comments should be submitted to the community's designated representative listed on the "Appeals, Protest, and Comment" form. The community should review the information to determine if they support the objection. All submittals must include name, address, & technical backup data (appeals & protests only). FEMA will review all appeals, protests, & comments and then send letters to the community's designated representative, copying the appellant/protestor, in response to submittals that meet federal requirements for protests and appeals.

A technical review of the submittal will be performed to insure that the backup data submitted meets the FEMA Guidelines & Specifications. This data needs to provide proof of error, and provide sufficient data to make revisions (e.g., bridge plans, cross-section data). Certification of data by a Registered Professional Engineer or Licensed Land Surveyor may be required for some data. If additional supporting data is required, a letter will be sent requesting the additional supporting data. The letter specifies a 30-day period to submit the data and states that, if the data is not received within 30 days, the appeal or protest will be resolved on the basis of data already received.

Additional information on the data required to support an appeal is presented in Chapter 3 of Appeals, Revisions, and Amendments to National Flood Insurance Program Maps: A Guide for Community Officials (FEMA, 1993). Additional information on the data required to support a challenge that is not an appeal is presented in Chapter 4 of Guide for Community Officials. This document can be found on FEMA's website here: <http://www.fema.gov/library/viewRecord.do?id=3448>.

If a valid appeal results in a change to the BFEs, the DFIRM and FIS will be re-issued as a revised preliminary package. Most often, FEMA incorporates changes resulting from comments at the time that the final reproduction materials are prepared; however, if the changes are significant, FEMA may prepare and distribute Revised Preliminary copies or Proof Copies of the DFIRM and FIS report. Also, the resolution responding to challenges other than appeals also may be included as a special insert in the Letter of Final Determination (LFD).

In most cases, FEMA shall provide a comment period (usually 30 days) following the date the resolution letter is issued before proceeding with the processing of the revised DFIRM and FIS report by preparing and issuing a LFD. The LFD starts the 6 month compliance period leading up to the effective map date. The "final" effective map is the map used as a guide for regulatory and insurance purposes. FEMA shall address any comments received during this comment period before proceeding with the maps.

Please send two copies of all appeals, protests, & comments to the designated representative for the community as shown on the below table. The designated representative will then send the information to FEMA's contractor (Michael Baker Jr., Inc.) for review.

Where to Send Appeals, Protests or Comments:

Community	Gallatin County Unincorporated Areas	City of Bozeman	City of Three Forks
Contact Person	Sean O'Callaghan sean.ocallaghan@gallatin.mt.gov (406) 582-3130	Rick Hixson rhixson@bozeman.net (406) 582-2380	Ray Noble rnoble@threeforksmontana.us (406) 285-3431
Mailing Address	County Planning Dept. 311 West Main, Room 108 Bozeman, MT 59715	City Engineer's Office Alfred Stiff Professional Building P.O. Box 1230 Bozeman, MT 59771	City Hall PO Box 187 Three Forks, MT 59752

Preliminary Flood Maps Gallatin County Appeals, Protests, & Comments Form

Gallatin County, the City of Bozeman, and the City of Three Forks appreciate your input on the Revised Preliminary Digital Flood Insurance Rate Maps (DFIRM) recently released by Federal Emergency Management Agency (FEMA) for public review and comment. Your comments, appeals, and protests will identify issues and concerns of importance throughout the adoption process.

Name _____ Phone Number: _____

Mailing Address _____

Physical Address of Property in Question _____

Section __ Township __ Range __ Lot/Tract __ Geocode _____

FEMA MAP PANEL NUMBER _____

PLEASE IDENTIFY THE TYPE OF OBJECTION:

- ____ Appeal: Technical Issue (e.g.; elevation)
 ____ Protest: Delineation of the Floodplain Boundary
 ____ Comment: Map Error (e.g.; street name, city limit boundary, etc.)

FOR COMMENTS PROVIDE A DETAILED DESCRIPTION OF THE ISSUE:

Continue on the reverse side if needed.

FOR APPEALS AND PROTESTS, PROVIDE A DETAILED DESCRIPTION OF THE ISSUE & ATTACH SUPPORTING DOCUMENTS TO THIS FORM i.e. elevation certificate, topo maps, engineering study, photograph of flood event, etc.

Continue on the reverse side if needed.

Submit two copies of completed forms and attachments to the appropriate contact from the table below. The local contact will be forwarding all information to FEMA.

Community	Gallatin County Unincorporated Areas	City of Bozeman	City of Three Forks
Contact Person	Sean O'Callaghan sean.ocallaghan@gallatin.mt.gov (406) 582-3130	Rick Hixson rhixson@bozeman.net (406) 582-2380	Ray Noble rnoble@threeforksmontana.us (406) 285-3431
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